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E & R AMENDMENTS TO LB 722

1 1. Because of the amendment of section 79-990 by Laws
2 2001, LB 711, in the Standing Committee amendments, AM0328:

3 a. Strike section 7 and insert the following new
4 section:

5 "Sec. 7. Section 79-990, Revised Statutes Supplement,
6 2001, is amended to read:

7 79-990. (1) Any member who is eligible for reemployment
8 on or after December 12, 1994, pursuant to 38 U.S.C. chapter 43, as
9 ~~such chapter existed on May 2, 2001~~ adopted under section 55-161,
10 or who is eligible for reemployment under ~~sections 55-160 to 55-163~~
11 section 55-160 may pay to the retirement system after the date of
12 his or her return from active military service, and within the
13 period required by law, not to exceed five years, an amount equal
14 to the sum of all deductions which would have been made from the
15 salary which he or she would have received during the period of
16 military service for which creditable service is desired. If such
17 payment is made, the member shall be entitled to credit for
18 membership service in determining his or her annuity for the period
19 for which contributions have been made and the board shall be
20 responsible for any funding necessary to provide for the benefit
21 which is attributable to this increase in the member's creditable
22 service. The member's payments shall be paid as the trustees may
23 direct, through direct payments to the retirement system or on an
24 installment basis pursuant to a binding irrevocable payroll

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1 deduction authorization between the member and the school district.
2 Creditable service may be purchased only in one-half-year
3 increments, starting with the most recent year's salary.

4 (2) Under such rules and regulations as the board may
5 prescribe, any member who was away from his or her position while
6 on a leave of absence from such position authorized by the board of
7 education of the school district by which he or she was employed at
8 the time of such leave of absence or pursuant to any contractual
9 agreement entered into by such school district may receive credit
10 for any or all time he or she was on leave of absence. Such time
11 shall be included in creditable service when determining
12 eligibility for death, disability, termination, and retirement
13 benefits. The member who receives the credit shall earn benefits
14 during the leave based on salary at the level received immediately
15 prior to the leave of absence. Such credit shall be received if
16 such member pays into the retirement system (a) an amount equal to
17 the sum of the deductions from his or her salary for the portion of
18 the leave for which creditable service is desired, (b) any
19 contribution which the school district would have been required to
20 make for the portion of the leave for which creditable service is
21 desired had he or she continued to receive salary at the level
22 received immediately prior to the leave of absence, and (c) regular
23 interest on these combined payments from the date such deductions
24 would have been made to the date of repayment. Such amounts shall
25 be paid as the trustees may direct, through direct payments to the
26 retirement system or on an installment basis pursuant to a binding
27 irrevocable payroll deduction authorization between the member and

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1 the school district over a period not to exceed five years from the
2 date of the termination of his or her leave of absence. Interest
3 on any delayed payment shall be at the rate of regular interest.
4 Creditable service may be purchased only in one-half-year
5 increments, starting with the most recent years' salary, and if
6 payments are made on an installment basis, creditable service will
7 be credited only as payment has been made to the retirement system
8 to purchase each additional one-half-year increment. Leave of
9 absence shall be construed to include, but not be limited to,
10 sabbaticals, maternity leave, exchange teaching programs, full-time
11 leave as an elected official of a professional association or
12 collective-bargaining unit, or leave of absence to pursue further
13 education or study. A leave of absence granted pursuant to this
14 section shall not exceed four years in length, and in order to
15 receive credit for the leave of absence, the member must have
16 returned to employment with the school district within one year
17 after termination of the leave of absence.

18 (3) Until one year after May 2, 2001, any member
19 currently employed by the school district who resigned from
20 full-time employment with the school district for maternity
21 purposes prior to September 1, 1979, and was reemployed as a
22 full-time employee by the school district before the end of the
23 school year following the school year of such member's resignation
24 may have such absence treated as though the absence was a leave of
25 absence described in subsection (2) of this section. The period of
26 such absence for maternity purposes shall be included in creditable
27 service when determining the member's eligibility for death,

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1 disability, termination, and retirement benefits if the member
2 submits satisfactory proof to the board that the prior resignation
3 was for maternity purposes and the member complies with the payment
4 provisions of subsection (2) of this section before the one-year
5 anniversary of May 2, 2001."; and

6 b. On page 8, line 20, after the second comma insert
7 "and" and strike "and 79-990,"; and in line 21 after the comma
8 insert "and section 79-990, Revised Statutes Supplement, 2001,".

9 2. On page 1, strike beginning with the "provide" in
10 line 1 through line 2 and insert "amend sections 48-230, 48-231,
11 55-160, 55-161, 55-164, and 55-165, Reissue Revised Statutes of
12 Nebraska, and section 79-990, Revised Statutes Supplement, 2001; to
13 change and eliminate provisions relating to absence from employment
14 for military purposes; to change provisions relating to penalties
15 as prescribed; to repeal the original sections; and to outright
16 repeal sections 55-162 and 55-163, Reissue Revised Statutes of
17 Nebraska.".